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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
 PASSENGER SEXUAL ASSAULT  
 LITIGATION

Case No. 3:23-md-03084-CRB (LJC)

**DECLARATION OF KYLE SMITH IN  
 SUPPORT OF DEFENDANTS' PORTION  
 OF THE JOINT LETTER REGARDING  
 LEVIN SIMES PLAINTIFFS' OVERDUE  
 PLAINTIFF FACT SHEETS**

This Document Relates to:

*Jane Doe LS 154 v. Uber Technologies, Inc.,  
 et al.*, No. 3:23-cv-03807

*Jane Doe LS 90 v. Uber Technologies, Inc.,  
 et al.*, No. 3:23-cv-03956

*Jane Doe LS 250 v. Uber Technologies, Inc.,  
 et al.*, No. 3:23-cv-03995

Judge: Hon. Lisa J. Cisneros  
 Courtroom: G – 15th Floor

1 *Jane Doe LS 383 v. Uber Technologies, Inc.,*  
2 *et al.*, No. 3:23-cv-05197

3 *Jane Doe LS 107 v. Uber Technologies, Inc.,*  
4 *et al.*, No. 3:23-cv-05232

5 *Jane Doe LS 174 v. Uber Technologies, Inc.,*  
6 *et al.*, No. 3:23-cv-05359

7 *Jane Doe LS 97 v. Uber Technologies, Inc.,*  
8 *et al.*, No. 3:23-cv-05368

9 *Jane Doe LS 353 v. Uber Technologies, Inc.,*  
10 *et al.*, No. 3:23-cv-05401

11 *Jane Doe LS 266 v. Uber Technologies, Inc.,*  
12 *et al.*, No. 3:23-cv-05416

13 *Jane Doe LS 285 v. Uber Technologies, Inc.,*  
14 *et al.*, No. 3:23-cv-05919

15 *Jane Doe LS 523 v. Uber Technologies, Inc.,*  
16 *et al.*, No. 3:24-cv-05155

17 *Jane Doe LS 330 v. Uber Technologies, Inc.,*  
18 *et al.*, No. 3:24-cv-05160

19 *Jane Doe LS 419 v. Uber Technologies, Inc.,*  
20 *et al.*, No. 3:24-cv-05263

21 *Jane Doe LS 412 v. Uber Technologies, Inc.,*  
22 *et al.*, No. 3:24-cv-05317

23 *Jane Doe LS 492 v. Uber Technologies, Inc.,*  
24 *et al.*, No. 3:24-cv-05324

25 *Jane Doe LS 338 v. Uber Technologies, Inc.,*  
26 *et al.*, No. 3:24-cv-05326

27 *Jane Doe LS 252 v. Uber Technologies, Inc.,*  
28 *et al.*, No. 3:24-cv-05334

*Jane Doe LS 225 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05336

*Jane Doe LS 131 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05337

1 *Jane Doe LS 128 v. Uber Technologies, Inc.,*  
2 *et al.*, No. 3:24-cv-05377

3 *Jane Doe LS 281 v. Uber Technologies, Inc.,*  
4 *et al.*, No. 3:24-cv-05430

5 *Jane Doe LS 187 v. Uber Technologies, Inc.,*  
6 *et al.*, No. 3:24-cv-05432

7 *Jane Doe LS 507 v. Uber Technologies, Inc.,*  
8 *et al.*, No. 3:24-cv-05509

9 *Jane Doe LS 500 v. Uber Technologies, Inc.,*  
10 *et al.*, No. 3:24-cv-05513

11 *Jane Doe LS 101 v. Uber Technologies, Inc.,*  
12 *et al.*, No. 3:24-cv-05521

13 *Jane Doe LS 506 v. Uber Technologies, Inc.,*  
14 *et al.*, No. 3:24-cv-05531

15 *Jane Doe LS 505 v. Uber Technologies, Inc.,*  
16 *et al.*, No. 3:24-cv-05533

17 *Jane Doe LS 473 v. Uber Technologies, Inc.,*  
18 *et al.*, No. 3:24-cv-05544

19 *Jane Doe LS 480 v. Uber Technologies, Inc.,*  
20 *et al.*, No. 3:24-cv-05549

21 *Jane Doe LS 483 v. Uber Technologies, Inc.,*  
22 *et al.*, No. 3:24-cv-05550

23 *Jane Doe LS 486 v. Uber Technologies, Inc.,*  
24 *et al.*, No. 3:24-cv-05551

25 *Jane Doe LS 307 v. Uber Technologies, Inc.,*  
26 *et al.*, No. 3:24-cv-05569

27 *Jane Doe LS 47 v. Uber Technologies, Inc.,*  
28 *et al.*, No. 3:24-cv-05571

*Jane Doe LS 482 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05593

*Jane Doe LS 471 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05630

1 *Jane Doe LS 475 v. Uber Technologies, Inc.,*  
2 *et al.*, No. 3:24-cv-05642

3 *Jane Doe LS 476 v. Uber Technologies, Inc.,*  
4 *et al.*, No. 3:24-cv-05646

5 *Jane Doe LS 467 v. Uber Technologies, Inc.,*  
6 *et al.*, No. 3:24-cv-05652

7 *Jane Doe LS 509 v. Uber Technologies, Inc.,*  
8 *et al.*, No. 3:24-cv-05662

9 *Jane Doe LS 458 v. Uber Technologies, Inc.,*  
10 *et al.*, No. 3:24-cv-05679

11 *Jane Doe LS 468 v. Uber Technologies, Inc.,*  
12 *et al.*, No. 3:24-cv-05685

13 *Jane Doe LS 444 v. Uber Technologies, Inc.,*  
14 *et al.*, No. 3:24-cv-05687

15 *Jane Doe LS 449 v. Uber Technologies, Inc.,*  
16 *et al.*, No. 3:24-cv-05689

17 *Jane Doe LS 454 v. Uber Technologies, Inc.,*  
18 *et al.*, No. 3:24-cv-05695

19 *Jane Doe LS 435 v. Uber Technologies, Inc.,*  
20 *et al.*, No. 3:24-cv-05755

21 *Jane Doe LS 452 v. Uber Technologies, Inc.,*  
22 *et al.*, No. 3:24-cv-05756

23 *Jane Doe LS 422 v. Uber Technologies, Inc.,*  
24 *et al.*, No. 3:24-cv-05758

25 *Jane Doe LS 519 v. Uber Technologies, Inc.,*  
26 *et al.*, No. 3:24-cv-05759

27 *Jane Doe LS 429 v. Uber Technologies, Inc.,*  
28 *et al.*, No. 3:24-cv-05797

*Jane Doe LS 434 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05814

*Jane Doe LS 457 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05817

1 *Jane Doe LS 417 v. Uber Technologies, Inc.,*  
2 *et al.*, No. 3:24-cv-05821

3 *Jane Doe LS 469 v. Uber Technologies, Inc.,*  
4 *et al.*, No. 3:24-cv-05874

5 *Jane Doe LS 380 v. Uber Technologies, Inc.,*  
6 *et al.*, No. 3:24-cv-05879

7 *Jane Doe LS 350 v. Uber Technologies, Inc.,*  
8 *et al.*, No. 3:24-cv-05882

9 *Jane Doe LS 289 v. Uber Technologies, Inc.,*  
10 *et al.*, No. 3:24-cv-05883

11 *Jane Doe LS 366 v. Uber Technologies, Inc.,*  
12 *et al.*, No. 3:24-cv-05886

13 *Jane Doe LS 355 v. Uber Technologies, Inc.,*  
14 *et al.*, No. 3:24-cv-05887

15 *Jane Doe LS 300 v. Uber Technologies, Inc.,*  
16 *et al.*, No. 3:24-cv-05900

17 *Jane Doe LS 267 v. Uber Technologies, Inc.,*  
18 *et al.*, No. 3:24-cv-05901

19 *Jane Doe LS 176 v. Uber Technologies, Inc.,*  
20 *et al.*, No. 3:24-cv-05903

21 *Jane Doe LS 271 v. Uber Technologies, Inc.,*  
22 *et al.*, No. 3:24-cv-05906

23 *Jane Doe LS 173 v. Uber Technologies, Inc.,*  
24 *et al.*, No. 3:24-cv-05907

25 *Jane Doe LS 161 v. Uber Technologies, Inc.,*  
26 *et al.*, No. 3:24-cv-05912

27 *Jane Doe LS 169 v. Uber Technologies, Inc.,*  
28 *et al.*, No. 3:24-cv-05918

*Jane Doe LS 114 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05919

*Jane Doe LS 324 v. Uber Technologies, Inc.,*  
*et al.*, No. 3:24-cv-05920

1 *Jane Doe LS 137 v. Uber Technologies, Inc.,*  
2 *et al.*, No. 3:24-cv-05921

3 *Jane Doe LS 89 v. Uber Technologies, Inc.,*  
4 *et al.*, No. 3:24-cv-05924

5 *Jane Doe LS 124 v. Uber Technologies, Inc.,*  
6 *et al.*, No. 3:24-cv-05930

7 *Jane Doe LS 4 v. Uber Technologies, Inc., et*  
8 *al.*, No. 3:24-cv-05931

9 *Jane Doe LS 132 v. Uber Technologies, Inc.,*  
10 *et al.*, No. 3:24-cv-05934

11 *Jane Doe LS 45 v. Uber Technologies, Inc.,*  
12 *et al.*, No. 3:24-cv-05935

13 *Jane Doe LS 243 v. Uber Technologies, Inc.,*  
14 *et al.*, No. 3:24-cv-05939

15 *Jane Doe LS 99 v. Uber Technologies, Inc.,*  
16 *et al.*, No. 3:24-cv-05943

17 *Jane Doe LS 86 v. Uber Technologies, Inc.,*  
18 *et al.*, No. 3:24-cv-05970

19 *Jane Doe LS 192 v. Uber Technologies, Inc.,*  
20 *et al.*, No. 3:24-cv-05975

21 *Jane Doe LS 5 v. Uber Technologies, Inc., et*  
22 *al.*, No. 3:24-cv-05976

23 *Jane Doe LS 288 v. Uber Technologies, Inc.,*  
24 *et al.*, No. 3:24-cv-05987

25 *Jane Doe LS 160 v. Uber Technologies, Inc.,*  
26 *et al.*, No. 3:24-cv-05996

27 *Jane Doe LS 327 v. Uber Technologies, Inc.,*  
28 *et al.*, No. 3:24-cv-06032

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**DECLARATION OF KYLE SMITH**

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration in support of Defendants Uber Technologies, Inc.'s, Rasier, LLC's, and Rasier-CA, LLC's (collectively, "Uber's") portion of the joint letter brief regarding certain Levin Simes LLP ("Levin Simes") Plaintiffs' overdue Plaintiff Fact Sheets.

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Uber in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188 (the "JCCP"). I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York Court of Appeals, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. Attached to this declaration as **Exhibit A** is a table identifying 81 Plaintiffs represented by Levin Simes who have failed to timely submit Plaintiff Fact Sheets.

4. Attached to this declaration as **Exhibit B** is a true and correct copy of a letter Uber sent Levin Simes on December 17, 2024 identifying Plaintiffs represented by that firm who had failed to timely submit Plaintiff Fact Sheets. The 81 Plaintiffs listed in Exhibit A are each listed in this letter.

5. Uber and Levin Simes met and conferred regarding the Plaintiffs identified in Exhibit A on December 20, 2024. Uber and Levin Simes exchanged additional email correspondence regarding Plaintiffs with overdue fact sheets on December 20, 2024 (PT); December 30, 2024; December 31, 2024; January 1, 2025; January 2, 2025; January 7, 2025; January 10, 2025; January 13, 2025; January 16, 2025; January 17, 2025; and January 21, 2025. The parties met and conferred again on January 21, 2025. Despite these meet and confers and additional correspondence, the parties have been unable to resolve the dispute set out in the joint letter.



1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct.

3 Executed on January 30, 2025, in Washington, DC.

4 /s/ Kyle Smith

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